



1641
#13
3/19/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Raven *et al.*

Appl. No. 09/889,520

§ 371 Date: December 10, 2001

For: **Assay With Reduced Background**

Confirmation No. 4276

Art Unit: 1641

Examiner: Davis, Deborah A.

Atty. Docket: 1581.0810000/RWE

**Reply To Restriction Requirement,
Third Preliminary Amendment and Request RECEIVED
for a New Restriction Requirement**

MAR 14 2003

Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

In reply to the Office Action dated February 12, 2003 (PTO Prosecution File Wrapper Paper No. 12), requesting an election of one invention to prosecute in the above-referenced patent application, Applicants respectfully submit that the Restriction Requirement dated February 12, 2003, is not based upon the presently pending claims and, thus, issued in error. Applicants therefore respectfully request that the present Restriction Requirement be withdrawn and a new Restriction Requirement issued for this application.

To assist the Examiner in preparing a new Restriction Requirement, Applicants have clarified the currently pending claims by providing below a clean set of all pending claims.

Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;